

Notice of Allowability

Application No.

10/089,096

Applicant(s)

IHARA ET AL.

Examiner

Art Unit

Steven B. Theriault

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01717/2006.
2. ☒ The allowed claim(s) is/are 1,2,5-11,13-18 and 20-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WEILUN LO

SUPERVISORY PATENT EXAMINER

Examiners Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bradley Lytle on 03/31/2006.

In the Claims, please amend the claims as attached:(The application has been amended by applicant and sent to examiner via fax).

The claims are amended and accepted please see the attached.

Allowable Subject Matter

2. Claims 1,2 ,5-11,13-18 and 20-23 are allowed.
3. The following is an examiner's statement of reasons for allowance

Claims 1, 9, 10 and 17

The closest prior art is Ishii et al (U.S. Patent No 6,546,188) Ishii teaches a video editing system tied to a video recorder. Ishii teaches that special image effects can be applied to video images. Ishii shows the effects are organized by rows across the interface for selection by the user and where the effects are shown along with the image time line displayed at the bottom of the interface. Ishii shows a second and third row of effects that are displayed in a "plural lines" arrangement (see figure 33, No. 25a-25m) Ishii also shows a row labeled "user"(see no. 25n-1 thru 25n-10). Ishii teaches the user row is a configurable row in which the user selects with an input device the effects from the effect patterns and drags and drops the effect in the slots 1-10.

Once the effect is anchored the system presents the user with the ability to further customize the effects. Further, Ishii teaches the user is allowed to specify the duration of the effect in which the user can select from a predetermined set of frames or the user can use the slide and quick select buttons to set any duration they desire which can be a continuous number of frames (see Ishii column 59, lines 5-67 and column 60 lines 26-67). However, as the applicant has argued and amended the claims the prior art does not teach where a first arrangement of the effects specifying short term and continuous effects in plural lines where the short term effects are active when selected and the continuous effects are not active and not able to be selected.

The prior art of Ishii attempts to solve a problem in the video editing systems by creating a more usable and efficient interface for applying real time effects to video for the purposes of editing video images and live broadcasts. Ishii solves the problem by creating an interface that provides rows of effects and a video image editing area in multiple windows on the interface where the user can see the video and effects in one place and rearrange the effects in a manner they so desire and insert the effects into the video record at the time desired.

The prior art of Newman et al. (6,154,600) teaches a media editor where image effect information is communicated to a server and applying the effects to images stored on a server on a network rather than locally on the device. Newman also teaches the organization of effects into plural lines but does not teach where the effects are organized by short term and continuous and does not teach that were a short term effect is selected and active the continuous effect are is inactive and not able to be selected.

However, in light of the applicant's amendment and arguments, the prior art of Ishii in view of Newman does not teach or suggest the combined limitations of arranging effect specifying information in a preset arrangement, selecting the desired effect, applying the effect to images where the arrangement of the effects are in plural lines and in a first arrangement where the short- term effects are applied for a specified time and the continuous effects are continuously applied and where only the short term effect is active when selected and the continuous effect

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area is inactive and not selectable as recited in the claims. Therefore, the claims as amended are allowable.

Claims 2, 5-8, 11,13-16, 18 and 20-23:

These claims are dependent upon Claims 1, 9, 10 and 17 and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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WEILUN LO
SUPERVISORY PATENT EXAMINER

Examiners Amendment

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Please amend the claims as follows:

Claim 1 (Currently Amended): An effect applying device comprising:

display means for displaying various items of information;

effect specifying information arranging means for displaying effect specifying information which specifies effects for images, in a preset arrangement on said display means;

selecting means for selecting desired effect specifying information out of said effect specifying information displayed on said display means by said effect specifying information arranging means; and

effect applying means for applying effects specified by said desired effect specifying information selected by said selecting means, to input images, wherein,

said effect specifying information arranging means displays the arrangement of said effect specifying information in plural lines, ~~and~~

the arrangement of said effect specifying information includes a first arrangement for specifying short-term effects which can be applied for specified time, and a second arrangement for specifying continuous effects which can be continuously applied, and

when said first arrangement for specifying short-term effects is selected only a short-term effect area is active and a continuous effect setting area is inactive and not able to be selected.

Claim 2 (Original): The effect applying device according to Claim 1, comprising operating means for entering operator's operations, and wherein

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said effect specifying information arranging means displays a part of the arrangement of said effect specifying information, and scroll-displays the arrangement according to operation of said operating means.

Claims 3-4 (Cancelled)

Claim 5 (Previously Presented): The effect applying device according to Claim 1, wherein said selecting means comprises:

first selecting means for selecting one item of effect specifying information out of each of the first arrangement and the second arrangement en bloc; and

second selecting means for selecting one item of effect specifying information out of said effect specifying information selected by said first selecting means en bloc.

Claim 6 (Original): The effect applying device according to Claim 5, wherein:

said first selecting means selects, en bloc, said effect specifying information which are arranged side by side in a row in the first arrangement and the second arrangement; and

said second selecting means selects said effect specifying information in one line out of said effect specifying information

selected en bloc, from either the first arrangement or the second arrangement.

Claim 7 (original): The effect applying device according to Claim 1, wherein said effect applying device comprises arrangement setting means for selecting one or more effects out of preset plural effects based on operator's operations and for setting the arrangement of the effect specifying information specifying said selected effects.

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Claim 8 (Original): The effect applying device according to Claim 6, wherein said effect applying device comprises

effect specifying informing means for displaying a kind informing screen for showing kinds of two items of effect specifying information which are arranged in different rows, on said display means, when the effect specifying information in one line is selected by said second selecting means out of the effect specifying information which are arranged side by side in one row and are selected by said first selecting means en bloc, and the effect specifying information in a line different from the one line is selected by said second selecting means out of effect specifying information in a row different from the one row selected next by said first selecting means en bloc, in order to make the operator recognize the kinds of two items of effect specifying information of which the effects are applied by said effect applying means.

Claim 9 (Currently Amended): An effect applying method comprising:

an arrangement display step of displaying effect specifying information for specifying effects for images in a preset arrangement;

a selecting step of selecting desired effect specifying information out of said displayed effect specifying information; and

an effect applying step of applying effects specified by said selected effect specifying information, to input images, wherein,

said arrangement display step is to display the arrangement of said effect specifying information in plural lines,

the arrangement of said effect specifying information includes a first arrangement for specifying short-term effects which can be applied for specified time, and a second arrangement for specifying continuous effects which can be continuously applied, and

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when said first arrangement for specifying short-term effects is selected only a short-term effect area is active and a continuous effect setting area is inactive and not able to be selected.

Claim 10 (Currently Amended): An effect applying method wherein:

a terminal is configured to perform steps of:

an arrangement display step of displaying effect specifying information for specifying effects for images in a preset arrangement;

a selecting step of selecting desired effect specifying information out of said displayed effect specifying information; and

a transmission step of transmitting input images to a predetermined server via a network and informing said server of said selected effect specifying information; and said server comprises

an effect applying step of applying effects specified by said selected effect specifying information to said input images, wherein,

said arrangement display step is to display the arrangement of said effect specifying information in plural lines,

the arrangement of said effect specifying information includes a first arrangement for specifying short-term effects which can be applied for specified time, and a second arrangement for specifying continuous effects which can be continuously applied, and

when said first arrangement for specifying short-term effects is selected only a short-term effect area is active and a continuous effect setting area is inactive and not able to be selected.

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Claim 11 (Original): The effect applying method according to Claim 9, wherein said arrangement display step is to display a part of the arrangement of said effect specifying information and to scroll-display said arrangement based on operator's operations.

Claim 12 (Cancelled)

Claim 13 (Previously Presented): The effect applying method according to Claim 9, wherein said selecting step comprises:

a first selecting step of selecting one item of effect specifying information from each of the first arrangement and the second arrangement en bloc; and

a second selecting step of selecting one item of effect specifying information out of said effect specifying information selected at said first selecting step en bloc.

Claim 14 (original): The effect applying method according to Claim 13, wherein:

said first selecting step is to select said effect specifying information which are arranged side by side in one row in the first arrangement and the second arrangement en bloc;

said second selecting step is to select said effect specifying information in one line out of said effect specifying information selected en bloc, from either the first arrangement or the second arrangement.

Claim 15 (Original): The effect applying method according to Claim 9, comprising an arrangement setting step of selecting one or more effects out of preset effects for images based on operator's operations and of setting the arrangement of the effect specifying information specifying said selected effects.

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Claim 16 (original): The effect applying method according to Claim 9, wherein said effect applying method comprises

an effect specifying information informing step of displaying a kind informing screen for showing the kinds of two items of effect specifying information which are arranged in different rows, on the display means, when the effect specifying information in one line is selected at said second selecting step out of the effect specifying information which are arranged side by side in one row and are selected at said first selecting step en bloc, and the effect specifying information in a different line from the one line is selected at said second selecting step out of effect specifying information which are arranged in another row and are selected next at said first selecting step en bloc, in order to make the operator recognize the kinds of two items of effect specifying information of which the effects are applied by said effect applying means.

Claim 17 (Currently Amended): An effect applying computer program storage medium for storing instructions for execution by a processor, which when executed by the processor, causes the processor to apply an effect, said effect applying computer program storage medium comprising:

arrangement display instructions for displaying effect specifying information for specifying effects for images in a preset arrangement;

selecting instructions for selecting desired effect specifying information out of the displayed effect specifying information; and

effect applying instructions for applying effects specified by the selected effect specifying information, to input images, wherein,

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said arrangement display instructions cause a display of the arrangement of said effect specifying information in plural lines,

the arrangement of said effect specifying information includes a first arrangement for specifying short-term effects which can be applied for specified time and a second arrangement for specifying continuous effects which can be continuously applied, and

when said first arrangement for specifying short-term effects is selected only a short-term effect area is active and a continuous effect setting area is inactive and not able to be selected.

Claim 18 (Currently Amended): The effect applying computer program storage medium according to Claim 17, wherein said arrangement display step is to display a part of the arrangement of said effect specifying information and to scroll-display the arrangement based on operator's operations.

Claim 19 (Cancelled)

Claim 20 (Currently Amended): The effect applying computer program storage medium according to Claim 17, wherein said selecting step comprises:

a first selecting step of selecting one item of effect specifying information out of each of the first arrangement and the second arrangement en bloc; and

a second selecting step of selecting one item of effect specifying information out of the effect specifying information selected at said first selecting step en bloc.

Claim 21 (Currently Amended); The effect applying computer program storage medium according to Claim 20, wherein said first selecting step is to select the effect specifying information which are arranged side by side in one row in the first arrangement and the second arrangement, en bloc; and

said second selecting step is to select the effect specifying information in one line out of said effect specifying information selected en bloc, from either the first arrangement or the second arrangement.

Claim 22 (Currently Amended): The effect applying computer program storage medium according to Claim 17, comprising an arrangement setting step of selecting one or more effects out of preset effects for images based on operator's operations, and of setting the arrangement of effect specifying information specifying said selected effects.

Claim 23 (Currently Amended): The effect applying computer program storage medium according to Claim 17, comprising

an effect specifying information informing step of displaying a kind informing screen for showing the kinds of two items of effect specifying information in different rows, on the display means, when the effect specifying information in one line is selected at said second selecting step out of the effect specifying information which are arranged side by side in one row and are selected at said first selecting step en bloc and effect specifying information in a different line from the one line is selected at said second selecting step out of effect specifying information in a different row from the one row which are selected next at said second selecting step en bloc, in order to make the operator recognize the kinds of two items of effect specifying information of which the effects are applied by said effect applying means.

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Claims 24-30 (Cancelled)